Amendments to the Claims

This listing of claims will replace all prior versions, and listings, of claims in the application:

 (PREVIOUSLY PRESENTED) A method for displaying a TV program to a viewer, comprising:

receiving a plurality of TV programs, wherein at least some of the received TV programs compete with at least some others of the received TV programs for viewership; allowing the viewer to select one of the plurality of received TV programs for viewing;

storing data indicative of the viewer selected TV program and data indicative of at least some others of the TV programs competing with the viewer selected TV program that were not selected;

determining viewing preferences using the stored data indicative of the user selected TV program and data indicative of at least some others of the TV programs competing with the viewer selected TV program that were not selected as well as one or more known program traits and one or more hidden or associated program traits; and

controlling the programming displayed to the viewer in accordance with the viewer selection and the determined viewing preferences.

2. (PREVIOUSLY PRESENTED) The method of claim 1, wherein controlling the programming displayed to the viewer comprises: displaying the viewer selected program and additional programs selected in accordance with the determined viewing preferences.

(00006023;v1) 2

3. (PREVIOUSLY PRESENTED) The method of claim 2, wherein the displaying

additional programs comprises: displaying one or more advertisements.

4. (PREVIOUSLY PRESENTED) The method of claim 3, further comprising: receiving a

plurality of additional programs.

5. (PREVIOUSLY PRESENTED) The method of claim 4, wherein controlling the

programming displayed to the viewer further comprises: selecting one or more of the

received additional programs in accordance with the determined viewing preferences for

display to the viewer.

6. (ORIGINAL) The method of claim 4, wherein receiving the plurality of TV programs

and additional program comprises: receiving the plurality of programs through one or more

broadcast televisions signals, cable television networks, computer networks, or telephone

networks.

7. (ORIGINAL) The method of claim 6, wherein receiving the plurality of TV programs

and additional programs comprises: receiving the additional programs independently of the

TV programs.

8. (ORIGINAL) The method of claim 7, wherein receiving the plurality of TV programs

and additional programs comprises: receiving the plurality of TV programs on a first set of

TV channels; and receiving the plurality of additional programs on a second set of TV

channels.

(00006023;v1) 3

Response to Office Action mailed March 17, 2009

9. (ORIGINAL) The method of claim 6, wherein receiving the plurality of TV programs

and additional programs comprises: receiving the additional programs multiplexed with one

or more of the TV programs.

10. (ORIGINAL) The method of claim 4, further comprising: storing the received

additional programs for subsequent display to the viewer.

11. (ORIGINAL) The method of claim 10, wherein controlling the programming

displayed to the viewer comprises: displaying the viewer selected program and additional

programs selected in accordance with the previously determined viewing preferences of the

viewer from among the stored additional programs.

12. (ORIGINAL) The method of claim 4, wherein receiving the plurality of additional

programs comprises: receiving a plurality of additional programs including targeting

parameters related to the previously determined viewing preferences of the viewer.

13. (ORIGINAL) The method of claim 12, wherein the targeting parameters include one

or more of TV viewing preferences, demographic information, and additional program

display schedule information.

14. (PREVIOUSLY PRESENTED) A method for displaying a TV program to a viewer,

comprising:

transmitting a plurality of TV programs for selection therebetween by the viewer, wherein at least some of the TV programs compete with at least some others of the TV programs for viewership;

transmitting a plurality of additional programs;

storing data indicative of viewer selected ones of the TV programs and at least some others of the TV programs competing with the viewer selected TV programs that were not selected:

determining viewing preferences using the stored data indicative of the user selected TV program and stored data indicative of at least some others of the TV programs competing with the viewer selected TV programs that were not selected as well as one or more known program traits and one or more hidden or associated program traits;

selecting ones of the additional programs in accordance with the determined viewing preferences for display to the viewer with the selected TV programs.

- 15. (PREVIOUSLY PRESENTED) The method of claim 14, wherein transmitting the plurality of additional programs comprises: transmitting the plurality of additional programs independently of the TV programs.
- 16. (PREVIOUSLY PRESENTED) The method of claim 14, wherein transmitting the plurality of additional programs comprises: transmitting a plurality of advertisements.
- 17. (PREVIOUSLY PRESENTED) The method of claim 14, wherein transmitting the plurality of TV programs and additional programs comprises: transmitting the plurality of

TV and additional programs through one or more broadcast television signals, cable television networks, computer networks, or telephone networks.

18. (ORIGINAL) The method of claim 17, wherein transmitting the plurality of TV programs and additional programs comprises: transmitting the additional programs independently of the TV programs.

19. (ORIGINAL) The method of claim 18, wherein transmitting the plurality of TV programs and additional programs comprises: transmitting the plurality of TV programs on a first set of TV channels; and transmitting the plurality of additional programs on a second set of TV channels.

20. (ORIGINAL) The method of claim 17, wherein transmitting the plurality of TV programs and additional programs comprises: transmitting the additional programs multiplexed with one or more of the TV programs.

21. (CANCELED)

22. (PREVIOUSLY PRESENTED) The method of claim 14, wherein transmitting the plurality of additional programs comprises: transmitting a plurality of additional programs including targeting parameters related to the viewing preferences of the viewer.

Internal Docket No. METABYTE-1 Ser, No. 09/893,192

Response to Office Action mailed March 17, 2009

23. (PREVIOUSLY PRESENTED) The method of claim 22, wherein the targeting

parameters include one or more of demographic information and additional program display

schedule information.

24. (PREVIOUSLY PRESENTED) The method of claim I, wherein the determining

viewing preferences comprises: determining viewing preferences by performing a regression

analysis based on the stored data and the one or more known program traits.

25. (PREVIOUSLY PRESENTED) The method of claim 14, wherein the determining

viewing preferences comprises: determining viewing preferences by performing a regression

analysis based on the stored data and the one or more known program traits.

26. (NEW) The method of claim 24, wherein performing said regression analysis results in

the introduction of one or more additional traits used to improve the determination of the

viewer's preference.

27. (NEW) The method of claim 25, wherein performing said regression analysis results in

the introduction of one or more additional traits used to improve the determination of the

viewer's preference.

28. (NEW) A method for displaying a TV program to a plurality of viewers, comprising:

receiving a plurality of TV programs, wherein at least some of the received TV

programs compete with at least some others of the received TV programs for viewership;

allowing a viewer to select one of the plurality of received TV programs for viewing;

identifying whether a viewer profile has been created for said viewer;

creating said viewer profile if said viewer profile has not been created for said viewer;

storing in said viewer profile data indicative of said viewer selected TV program and

data indicative of at least some others of the TV programs competing with the viewer selected

TV program that were not selected;

determining viewing preferences from said viewer profile using the stored data

indicative of said viewer selected TV program and data indicative of at least some others of

the TV programs competing with the first viewer selected TV program that were not selected

as well as one or more known program traits and one or more hidden or associated program

traits;

controlling the programming displayed to said viewer in accordance with the viewer

selection and the determined viewing preferences.

29. (NEW) The method of claim 28, wherein the identifying whether a viewer profile has

been created for said viewer comprises: comparing said stored data indicative of said viewer

selected TV program and data indicative of at least some others of the TV programs

competing with the viewer selected TV program that were not selected with the profiles

created for said plurality of viewers.

(00006023;v1) 8